

FILED

JAN 19 2016

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY A. Houlton
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

VASCULAR SOLUTIONS, INC., (1) and,
HOWARD ROOT, (2)
Defendants.

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Case No. SA-14-CR-926-RCL

ORDER

The Court having considered the Government's Sealed Motion to Disqualify Jon Hopeman and Marnie Fearon as Counsel for Current VSI Employees, and the opposition and reply thereto, the response of counsel for the witnesses and the record herein,

IT IS ORDERED that the Motion to Disqualify is DENIED.

The Court concludes that there is no actual conflict of interest. The Court further concludes that any potential conflict of interest has been properly waived, and that in any event, there is no basis for the Court to set aside the totally voluntary waiver here.

To the extent that the government does not now concede that payment of the attorney's fees of the witnesses by the corporate defendant is not improper, the Court holds that such payments are not improper.

There is no basis for sealing this Order.

It is SO ORDERED this 19th day of January, 2016.

Royce C. Lamberth
ROYCE C. LAMBERTH
United States District Judge